

**HOLLAND & KNIGHT LLP**

One Atlantic Center  
1201 West Peachtree Street, N.E.  
Suite 2000  
Atlanta, Georgia 30309-3400

404-817-8500  
404-881-0470 FAX

www.hklaw.com

Annapolis  
Atlanta  
Bethesda  
Boston  
Brampton  
Chicago  
Fort Lauderdale  
Jacksonville  
Lakeland  
Los Angeles  
Melbourne  
Miami  
New York  
Northern Virginia  
Orlando  
Portland  
Providence  
St. Petersburg  
San Antonio

San Francisco  
Seattle  
Tallahassee  
Tampa  
Washington, D.C.  
West Palm Beach

Holland & Knight LLP

International Offices:  
Caracas  
Helsinki  
Mexico City  
Rio de Janeiro  
São Paulo  
Tel Aviv  
Tokyo

\*Representative Offices

**OFFICIAL****RECEIVED  
CENTRAL FAX CENTER****OCT 02 2003****FACSIMILE**

|                                |   |                           |
|--------------------------------|---|---------------------------|
| <b>TO:</b>                     | United States Patent and Trademark Office |                           |
| <b>GROUP 1600 BEFORE FINAL</b> |   | 703-872-9305              |
| <b>NAME</b>                    | <b>COMPANY/FIRM</b>                       | <b>FAX NUMBER</b>         |
| Washington                     | D.C.                                      | 703-306-3470              |
| <b>CITY</b>                    | <b>STATE</b>                              | <b>(TELEPHONE NUMBER)</b> |

|                        |                  |  |
|------------------------|------------------|--|
| <b>FROM:</b>           | 404-817-8473     |  |
| <b>Patrea L. Pabst</b> |                  |  |
| <b>NAME</b>            | <b>TELEPHONE</b> | <b>TOTAL PAGES (Including Cover Sheet)</b> |

|  |   |                               |                                  |
|--|---|-------------------------------|----------------------------------|
| <b>FOR THE RECORD:</b>   |   |                               |                                  |
| <b>DATE:</b> October 2, 2003   | <b>URGENCY:</b> <input type="checkbox"/> SUPER RUSH | <input type="checkbox"/> RUSH | <input type="checkbox"/> REGULAR |
| <b>FAXED BY:</b>   | <b>FILE #:</b> 078230.2                             | <b>CLIENT NAME:</b> RPMS 102  |                                  |
| <b>CONFIRMED:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO | <b>NAME:</b> Peggy Bailey                           | <b>TIME:</b>                  |                                  |

If you did not receive all of the pages or find that they are illegible, please call (404) 817-8500

**CONFIDENTIALITY NOTICE:** This facsimile, along with any documents, files, or attachments, may contain information that is confidential, privileged, or otherwise exempt from disclosure. If you are not the intended recipient or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, printing, distribution or use of any information contained in or attached to this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by facsimile or by telephone collect at the numbers stated above, and destroy the original facsimile and its attachments without reading, printing, or saving in any manner. Your cooperation is appreciated. Thank you.

**MESSAGE:**

**Applicant:** Hans Josef Stauss

**Serial No.:** 09/101,418

**Art Unit:** 1644

**Filed:** August 7, 1998

**Examiner:** Ewoldt, G.R.

**For:** IMMUNOTHERAPY USING CYTOTOXIC T LYMPHOCYTES (CTL)

# 1254934\_v1

PTO/SB/21 (01-03)

Approved for use through 04/30/2003, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 09/101,413        |
|   | Filing Date            | August 7, 1998    |
|   | First Named Inventor   | Hans Josef Stauss |
|   | Art Unit               | 1644              |
|   | Examiner Name          | Gerald R. Ewoldt  |
| Total Number of Pages in This Submission  | Attorney Docket Number | RPMS 102          |

| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks   |  |  |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |  |  |
| Firm or Individual  | Patricia L. Pabst, Esq., Reg. No. 31,284 Holland & Knight LLP<br>Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E., Atlanta, GA 30309-3400   |  |
| Signature   |  |  |
| Date  | October 2, 2003  |  |

| CERTIFICATE OF TRANSMISSION/MAILING   |                     |                             |
|---|---------------------|-----------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>October 2, 2003</u> |                     |                             |
| Typed or printed  | Peggy Bailey        |                             |
| Signature   | <i>Peggy Bailey</i> | Date <u>October 2, 2003</u> |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

RPMS 102 (ICOW/P16930US) 078230/00002

PTO/SB/17 (01-03)

Approved for use through 04/30/2003, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 0.00

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 09/101,413        |
| Filing Date          | August 7, 1998    |
| First Named Inventor | Hans Josef Stauss |
| Examiner Name        | Gerald R. Ewoldt  |
| Art Unit             | 1644              |
| Attorney Docket No.  | RPMS 102          |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:
Deposit Account Number  
50-1868Deposit Account Name  
Holland & Knight LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 750                   | 2001 375                   | Utility filing fee     |          |
| 1002 330                   | 2002 165                   | Design filing fee      |          |
| 1003 520                   | 2003 260                   | Plant filing fee       |          |
| 1004 750                   | 2004 375                   | Reissue filing fee     |          |
| 1005 160                   | 2005 80                    | Provisional filing fee |          |
| SUBTOTAL (1) (\$ )         |                            |                        |          |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |    |      |              |   |                |   |          |   |
|--------------------|----|------|--------------|---|----------------|---|----------|---|
| Total Claims       | 12 | -20  | Extra Claims | 0 | Fee from below | 0 | Fee Paid | 0 |
| Independent Claims | 1  | -3** |              | 0 |                | 0 |          | 0 |
| Multiple Dependent |    |      |              |   |                |   |          |   |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 84                    | 2201 42                    | Independent claims in excess of 3                          |
| 1203 280                   | 2203 140                   | Multiple dependent claim, if not paid                      |
| 1204 84                    | 2204 42                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ ) 0.00    |                            |  |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130                   | 2051 65                    | Surcharge - late filing fee or oath  |          |
| 1052 50                    | 2052 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                   | 2053 130                   | Non-English specification  |          |
| 1812 2,520                 | 1812 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804 920*                  | 1804 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                | 1805 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                   | 2251 55                    | Extension for reply within first month                                     |          |
| 1252 410                   | 2252 205                   | Extension for reply within second month                                    |          |
| 1253 930                   | 2253 465                   | Extension for reply within third month                                     |          |
| 1254 1,450                 | 2254 725                   | Extension for reply within fourth month                                    |          |
| 1255 1,970                 | 2255 985                   | Extension for reply within fifth month                                     |          |
| 1401 320                   | 2401 160                   | Notice of Appeal   |          |
| 1402 320                   | 2402 160                   | Filing a brief in support of an appeal                                     |          |
| 1403 280                   | 2403 140                   | Request for oral hearing   |          |
| 1451 1,510                 | 1451 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452 110                   | 2452 55                    | Petition to revive - unavoidable   |          |
| 1453 1,300                 | 2453 650                   | Petition to revive - unintentional   |          |
| 1501 1,300                 | 2501 650                   | Utility issue fee (or reissue)   |          |
| 1502 470                   | 2502 235                   | Design issue fee   |          |
| 1503 630                   | 2503 315                   | Plant issue fee  |          |
| 1460 130                   | 1460 130                   | Petitions to the Commissioner  |          |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 1808 180                   | 1808 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809 750                   | 2809 375                   | Filing a submission after final rejection (37 CFR 1.129(e))                |          |
| 1810 750                   | 2810 375                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750                   | 2801 375                   | Request for Continued Examination (RCE)                                    |          |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0.00

## SUBMITTED BY

Name (Print/Type) Patrea L. Pabst

Registration No. (Attorney/Agent)

31,284

(Complete if applicable)

Telephone (404) 817-8473

Signature

Date

October 2, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

RPMS 102 078230/00002

**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hans Josef Stauss

Serial No.: 09/101,413

Art Unit: 1644

**RECEIVED  
CENTRAL FAX CENTER****OCT 02 2003**

Filed: August 7, 1998

Examiner: Ewoldt, G.R.

For: *IMMUNOTHERAPY USING CYTOTOXIC T LYMPHOCYTES (CTL)*Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

Responsive to the Office Action mailed on September 4, 2003 (Notice of Non-Compliant Amendment), please amend the application as follows. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-1868.

It is believed that the previously submitted amendment was compliant. Pursuant to 37 C.F.R. 1.121, as of June 27, 2003, there was no requirement for submission of a clean copy of the claims. Please see II.A. (2) of the attachment to the Notice, stating in relevant part "An accompanying clean version is not required and should not be presented."